

AMENDED IN ASSEMBLY APRIL 19, 2007

AMENDED IN ASSEMBLY APRIL 18, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 822

Introduced by Assembly Member Levine

February 22, 2007

An act to add Section ~~75067~~ 4799.12.5 to the Public Resources Code, relating to public resources, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 822, as amended, Levine. Urban ~~runoff; permeable surfaces; greening projects.~~

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. *Of these bond funds, the act makes available \$580,000,000 for improving the sustainability and livability of California's communities through investment in natural resources. Of those natural resources investment funds, the act requires that \$90,000,000 be available for urban greening projects that reduce energy consumption, conserve water, improve air and water quality, and provide other community benefits. The act provides that appropriation of those urban greening funds may only be made upon enactment of implementing legislation.*

This bill would require the ~~Resources Agency to establish a program, consistent with this state's nonpoint source pollution control program,~~

~~to address the adverse impacts of urban runoff on state water quality through the strategic replacement of impermeable surfaces with permeable surfaces, if the Legislature appropriates funds from bond funds approved by the voters on November 7, 2006, for that purpose~~
Department of Forestry and Fire Protection, in consultation with the California Urban Forests Council, to provide state oversight for urban greening planning, including guidance, priorities, policy direction, technical assistance, evaluation of program effectiveness, and funding that supports effective urban greening.

The bill would require that, upon appropriation by the Legislature, urban greening bond funds be used by the department, in conjunction with the California Urban Forests Council, to award grants to public and nonprofit organizations for specified purposes related to urban greening.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 4799.12.5 is added to the Public*
- 2 *Resources Code, to read:*
- 3 *4799.12.5. (a) The department, in consultation with the*
- 4 *California Urban Forests Council, shall provide state oversight*
- 5 *for urban greening planning, including guidance, priorities, policy*
- 6 *direction, technical assistance, evaluation of program effectiveness,*
- 7 *and funding that supports effective urban greening.*
- 8 *(b) The purpose of this section is to provide for programs and*
- 9 *projects that promote urban greening.*
- 10 *(c) Upon appropriation by the Legislature, funds authorized*
- 11 *pursuant to subdivision (a) of Section 75065 shall be used by the*
- 12 *department in conjunction with the California Urban Forests*
- 13 *Council to award grants to public and nonprofit organizations*
- 14 *for, including, but not limited to, the following purposes:*
- 15 *(1) To promote technology to mitigate the heat island effect,*
- 16 *including, but not limited to, growing natural cover on a roof's*
- 17 *surface.*
- 18 *(2) To promote the growth of ecologically sustainable trees and*
- 19 *shrubs, strategically planted to provide shade to a built*
- 20 *environment, and to promote the removal and replacement of*
- 21 *invasive species with native vegetation.*

1 (3) *To provide for the strategic replacement of impermeable*
2 *surfaces with permeable surfaces, including, but not limited to,*
3 *the removal of paved areas, daylighting of waterways, and the use*
4 *of biofiltration, vegetated swales, permeable paving, and similar*
5 *watershed management practices.*

6 (d) *A project shall be located in an urban area or immediately*
7 *adjacent to an urban area if substantial benefits of the project are*
8 *to accrue to residents of the urban area.*

9 (e) *The department shall give priority to projects that provide*
10 *multiple benefits to an urban area, such as improving air and*
11 *water quality, reducing energy consumption, and conserving*
12 *energy.*

13 ~~SECTION 1. The Legislature finds and declares all of the~~
14 ~~following:~~

15 ~~(a) Urban runoff is a leading cause of water pollution to~~
16 ~~California's rivers, streams, and coastal waters. Stormwater flowing~~
17 ~~across streets and sidewalks picks up contaminants associated with~~
18 ~~air pollution particles, spilled oil, detergents, solvents, de-icing~~
19 ~~salts during freezing conditions, dead leaves, pesticides, fertilizer,~~
20 ~~and bacteria from pet waste.~~

21 ~~(b) Permeable surfaces, including natural areas, parks, and~~
22 ~~permeable paving, significantly reduce urban runoff. Natural~~
23 ~~filtration of water through soil is the simplest way to control these~~
24 ~~pollutants, and is a direct advantage of permeable surfaces.~~

25 ~~(c) Permeable surfaces, in addition to water quality benefits,~~
26 ~~benefit California in many ways, including providing habitat,~~
27 ~~increasing water supply, enhancing flood protection, and greening~~
28 ~~communities.~~

29 ~~(d) Our population will increase by 2020 by an amount that is~~
30 ~~equivalent to the current population of Michigan, or a city the size~~
31 ~~of Long Beach each and every year.~~

32 ~~(e) As the state continues to grow, it is crucial that it invest in~~
33 ~~improving and maintaining the quality of our water.~~

34 ~~SEC. 2. Section 75067 is added to the Public Resources Code,~~
35 ~~to read:~~

36 ~~75067. If the Legislature appropriates funds from bond funds~~
37 ~~approved by the voters at the November 7, 2006 statewide general~~
38 ~~election, for purposes of this section, the Resources Agency shall~~
39 ~~establish a program, consistent with this state's nonpoint source~~
40 ~~pollution control program, to address, in the most cost-efficient~~

1 and effective manner and to the greatest extent possible, the adverse
2 impacts of urban runoff on the water quality of California's rivers,
3 streams, and coastal waters through the strategic replacement of
4 impermeable surfaces with permeable surfaces, including, but not
5 limited to, the removal of paved areas, daylighting of waterways,
6 and the use of biofiltration, vegetated swales, permeable paving,
7 and similar watershed management practices.

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